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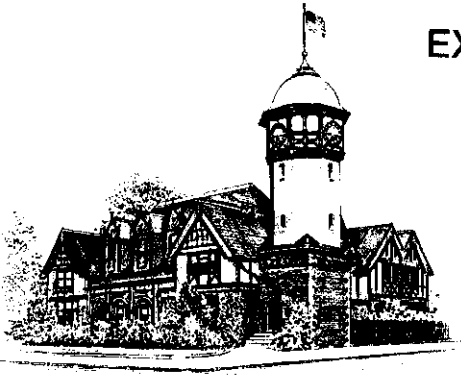
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The Township of South Orange Village

SOUTH ORANGE • NEW JERSEY 07079

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Marjorie O. Smith
Village Clerk

February 23, 2006

VILLAGE HALL
Phone (973) 378-7722
Fax (973) 761-4357

Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

To Whom It Concern:

Pursuant to your filing instructions, I enclosed herein an original and four (4) copies of comments regarding the FCC's proposed rules regarding franchises.

If you have any questions regarding the enclosed, please do not hesitate to contact me.

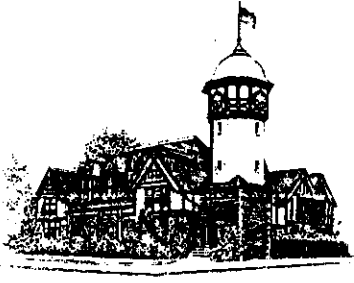
Very truly yours,

Marjorie O. Smith
Village Clerk

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Township of South Orange Village

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Village Hall
(973) 378-7715
Fax (973) 761-4357

William R. Calabrese, Village President

Board of Trustees

Eric DeVaris, F.A.I.A.

Stacey Jennings

Terriann Moore-Abrams, Esq.

Allan Rosen, Ph.D.

Mark Rosner

Arthur Taylor

February 22, 2006

Chairman, Kevin J. Martin
Commissioner, Michael J. Copps
Commissioner, Jonathan Adelstein
Commissioner Deborah Taylor Tate
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Docket No. 05-311

Dear Chairman Martin and Commissioners Copps, Adelstein and Tate:

In December, 2005, the New Jersey Assembly and Senate introduced A-4430/S-2912 respectively. Said legislation authorizes a statewide franchise for certain providers of cable television service. The Assemblymen and Senators who introduced the legislation are to be commended for the research and endless work they did to get the legislation introduced. As a governing body member of the Township of South Orange Village and a member of the South Orange Cable TV Committee I wrote to the respective Assemblymen and Senators to provide input regarding A-4430/S-2912. The essence of my comments regarding the New Jersey franchise legislation, which are relevant to the FCC's consideration of the franchising process for new video market entrants, are as follows:

The importance of the availability and continuity of local access channels as a means of communicating important local developments and emergency news to our residents can not be overemphasized. Franchising legislation should insure the local accountability of the video provider in guaranteeing the delivery of such services as well as the continuity for such services (in lieu of a local franchise which provides a contractual guarantee of delivery and quality).

Currently, the local provider has aided the startup and continuity for the local station(s) with gifts of equipment, etc. The source of such aid in the New Jersey legislation becomes additional franchise "fees." This is necessary for the local stations to replace aging, obsolete equipment and to keep up with evolving technology. Given the history of state takeovers of local

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sources of revenue, it would be helpful to guarantee in perpetuity the availability of franchise fees.

While the New Jersey legislation stipulates that new providers are mandated to provide each municipality with two access channels, the successful delivery of such depends upon the goodwill sharing of existing provider feed to (with) the new provider by the existing provider. This seems unrealistic. It is important for the legislation to provide an enforcement mechanism for such cooperation if necessary, or alternatively for an enforcement mechanism for the independent delivery of such services by a new provider from the commencement of delivery of new video services.

The New Jersey legislation also mandates the completion of build-out total coverage of a community within six years of commencement of service to said community. This requires a powerful enforcement mechanism to insure compliance with this provision. It is rumored that Verizon currently cannot provide adequate service to high-rise buildings.

Attention must be given to local accountability by the new provider with respect to both their customers and local access station needs. New providers must work with local stations on demand to help with transmission issues- both audio and visual. The current provider does so. Issues such as a ten-mile regional office versus current local offices must be addressed. Accountability must be insured.

In addition to my aforementioned comments, I forwarded to the State Senators and Assemblymen a position paper by the Jersey Access Group which I attach hereto. Additionally, on December 19, 2005, the Board of Trustees of the Township of South Orange Village adopted Resolution #336-05 (which I attach hereto) requesting that A-4430/S-2912 be amended to reflect some of the aforementioned concerns. My comments, the position paper of the Jersey Access Group and the attached resolution all pertain to the Federal Commission's proposed rules for franchising as well as the New Jersey legislation.

On behalf of the Board of Trustees of the Township of South Orange Village and the residents of South Orange, I respectfully request that the Federal Communications Commission adopt rules that foster competition and lower costs while at the same time protect and foster local access television programming which is the life line of local information and communication.

I thank you in advance for your consideration of my comments.

Very truly yours,


Allan Rosen, Ph. D.

South Orange Village Trustee
Chair, S.O. Cable TV Committee
Member, Board of Governors, SOMACOM TV

cc: John Norton, FCC Staff
Andrew Long, FCC Staff
Village President
Board of Trustees
Village Administrator
Village Counsel
Assistant to Administrator
Public Information Committee

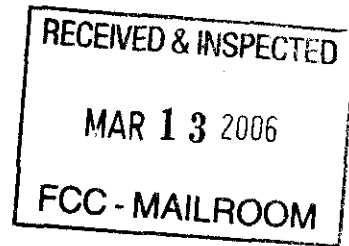
JAG

Jersey Access Group

P.O. Box 712, Woodbridge, New Jersey 07095

Web Site: www.jagonline.org

E-mail: JAGinfo@jagonline.org



November 11, 2005

Dear Government Officials:

The Jersey Access Group (JAG) represents the interests of more than 60 PEG Access Stations covering over 100 municipalities throughout New Jersey that serve more than 3/4 of a million households. No town operates their PEG (Public, Educational, Government) Access Station like any others. All towns have unique needs in providing PEG Access Stations to their residents. PEG Access Stations have become the primary source for disseminating information vital to their residents quicker than any other communication system. Existing stations need guarantees that their services to the community will be supported. Future PEG Access Stations need assurances that additional funding and technical support will be provided, for them to begin operation.

JAG has the following concerns on behalf of PEG Access Stations concerning Verizon proposing to become a cable television provider. In keeping with our organizations' stated goals, our comments concern only the operation and distribution of PEG Access Stations.

1. Verizon should negotiate local franchise agreements with each municipality. PEG Access Stations are individual entities, governed by different bylaws and restrictions. Only through the local franchising process can a cable delivery system address the individual needs of diverse operations.
2. Verizon should pay the same franchise fees to municipalities, as other cable operators. In addition Verizon should provide grants to the individual station to purchase and maintain equipment to ensure a quality programming which is in the interest of both Verizon and the municipality consistent with the current cable franchise agreements.
3. Verizon should set aside for each town adequate bandwidth to operate three analog channels. These channels should operate 24/7 and not share time with any other programming source unless permitted by the municipality.
4. Verizon should ensure that PEG Access Stations are available to all subscribers regardless of their level of service or the type of delivery system used to include all future wireless architectures.
5. Verizon should supply all the equipment necessary to connect the PEG channel(s) to the provider's system for distribution at Verizon's expense. The picture and sound quality of the channel(s) shall be equal to that of the standards of the major networks. This equipment should be maintained by the provider and updated as new technology dictates.

6. Verizon should provide 24 hour technical support to each PEG station to ensure the signal is reliably delivered to the public.
7. Verizon should install and support additional remote send locations as requested by each municipality to allow for remote programming. Cable providers currently provide these remote send locations to enable municipalities to televise town meetings and other events.
8. Verizon should supply cable drops in all municipal buildings, schools and support locations as designated by each municipality.
9. Verizon should allow PEG Access Stations to operate under their own policies and procedure and consistent with the same rules used by Public Broadcasting regarding fundraising and sponsorship, without interference as to content or operations.
10. Verizon should ensure that representatives from the Jersey Access Group are invited to sit at the table for all meetings involving any discussion regarding how PEG Access Stations will be serviced and their signals disseminated within Verizon's system so that the interests of PEG Access Stations in New Jersey are represented.
11. Verizon should provide the ability for emergency alert messages and programming to be distributed by state and county officials via New Jersey's PEG stations to any specific part of the state.
12. Version should ensure that PEG Access Stations are connected and available to subscribers from the first day Verizon service is offered.

Additionally, The Jersey Access Group urges state legislators to have bandwidth reserved for county and state access channels for current and future needs.

The Jersey Access Group requests that we be notified of any hearings and that we be invited to participate in the decision-making process to ensure that PEG Access Stations remain a part of broadband technology and that residents of the State of New Jersey are not burdened with the funding of this vital resource.

Sincerely,



Lee Beckerman
Chair, Jersey Access Group

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

CERTIFIED COPY

RESOLUTION REQUESTING THAT A4430/S2912 BE AMENDED

WHEREAS, the Board of Trustees of the Township of South Orange Village recognize the time, effort and research involved in drafting A4430/S2912 and wish to commend all those involved in the formulation of this legislation; and

WHEREAS, since local access channels have become the primary source for disseminating vital information such as local developments and emergency news to local residents, the legislation should insure the local accountability of the video provider in guaranteeing the delivery of such services as well as the continuing quality of such services, in lieu of a local franchise which provides a contractual guarantee of delivery and quality; and

WHEREAS, the legislation provides for franchise fees which will help local stations replace aging obsolete equipment and keep step with evolving technology, however, given the history of State takeovers of local sources of revenue, it is recommended that A4430/S2912 provide for the guarantee in perpetuity of franchise fees to the local access stations; and

WHEREAS, since the legislation stipulates that new providers must provide each municipality with two access channels, the successful delivery of which depends upon the good will sharing of existing provider feed to the new provider by the existing provider, it is recommended that A4430/S2912 provide for an enforcement mechanism for such cooperation, or alternatively, an enforcement mechanism for the independent delivery of such services by a new provider from the commencement of delivery of new video services; and

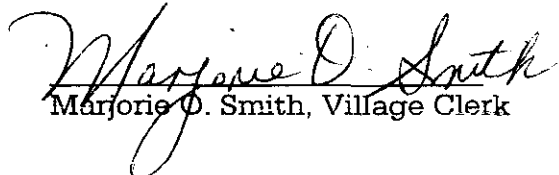
WHEREAS, since the legislation mandates the completion of total coverage of municipalities within six years of commencement of service to the respective municipalities, it is recommended that A4430/S2912 provide an enforcement mechanism to ensure compliance with the six-year time frame, including coverage to high-rise buildings; and

WHEREAS, it is important that A4430/S2912 insure that new providers cooperate with local stations to help resolve both audio and/or video transmission problems; now, therefore

BE IT RESOLVED, by the Board of Trustees of the Township of South Orange Village that it respectfully requests that A4430/S2912 be amended to provide for accountability, continued franchise fees, an enforcement mechanism to insure cooperation by providers, and enforcement mechanism to insure total coverage within six years and a provision to insure that new providers assist local stations in resolving problems; and

BE IT FURTHER RESOLVED, that the Board of Trustees deems the aforementioned amendments important in fostering competition and lowering costs while at the same time protecting and fostering local access television programming which is the lifeline of local information and communication

I, Marjorie O. Smith, Village Clerk in the Township of South Orange Village, in the County of Essex, New Jersey, do hereby certify that this is a true and correct copy of a resolution adopted by the Board of Trustees of the Township of South Orange Village at a Regular Meeting held on Monday, December 19, 2005.


Marjorie O. Smith, Village Clerk